

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, MAY 4 AND 5, 2009  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

---

**REPORTING THE RESULTS OF THE CLOSED SESSION MEETING**

Only items that can be disclosed are reported out in the Open Session of the regular City Council Meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Assistant City Attorney Mary Jo Lanza fame reports the results of the Closed Session Meeting of May 4 and 5, 2009.

**CLOSED SESSION MEETING FOR MONDAY, MAY 4, 2009**

Closed Session Items were heard on Tuesday, May 5, 2009.

**CLOSED SESSION MEETING FOR TUESDAY, MAY 5, 2009**

**ROLL CALL:**

Present: Mayor Sanders, Council President Hueso, Council President Pro Tem Faulconer, and Councilmembers Lightner, Gloria, Young, Frye, and Emerald

Absent: Councilmember DeMaio - Dist 4 (Recused for Item CS-1 and absent for CS-2)

**CLOSED SESSION ITEMS:**

**Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):**

**CS-1 *Santa Fe Irrigation District & San Dieguito Water District v. City of San Diego***  
San Diego Superior Court Case No. 37-2008-00055862-CU-OR-NC

CDCA Assigned: C. Leone

DCA's Assigned: R. Palmucci and M. Mercer

Report: Nothing to report

**CS-2** *Affordable Housing Coalition of San Diego County and Citizens for Environmental Development v. City of San Diego*  
San Diego Superior Court Case No. 37-2007-00083593-CU-TT-CTL

DCA Assigned: C. Brock

Report: Nothing to report

---

**REPORT from December 9, 2008 CLOSED SESSION MEETING**

**Made on May 5, 2009, @ 5:35 p.m. in Open Session**

On December 9, 2008, the City Council voted in Closed Session on Item CS-1, *City of San Diego v. Gabriel, Roeder, Smith & Co*, San Diego County Superior Court Case No. GIC 852419, to approve the terms of the settlement. The terms of that Settlement resulted in a \$522,135.04 reduction in the amount the City will be required to pay to SDCERS in the next fiscal year. The necessary documents to consummate that settlement have been signed by the parties and the funds required to be paid out pursuant to the terms of that settlement are now authorized to be released.

The motion passed 7 to 1 with Councilmember DeMaio voting 'No'.

REPORTED BY:

  
Mary Jo Lanzafame  
Assistant City Attorney